

House Bill 198
January 29, 2013
Presented by George Pauley
House Fish, Wildlife and Parks Committee

Mr. Chairman and committee members, I am George Pauley, Wildlife Management Bureau Chief of the Montana Department of Fish, Wildlife & Parks (FWP). I am here in opposition to House Bill 198.

The FWP interpretation of HB 198 is that it does not authorize any new season-setting authority the FWP Commission does not already have pursuant to MCA 87-1-304, as it reads now. However, HB 198 amends the season setting powers by restricting the FWP Commission to authorizing "late deer and elk seasons" only pursuant to Section 1 of HB 198. Section 1 limits the time of late seasons, from December 15 to January 10, and limits hunters to muzzle loading rifle, traditional handgun, shotgun, bow and arrow, or crossbow during December 15 to December 24.

FWP's first concern is that the bill removes flexibility from commission authority. The bill specifies opening and closing dates along with weapons for late seasons. These are specific season framework elements that are best left to the discretion of the commission. The bill also suggests that late seasons would be opened if populations are *at* or *above* objective, but it is questionable why a late season framework would be appropriate if a hunting district is *at* objective. The bill also specifies that only short-range weapons may be used during December 15 to December 24. Given that the bill seems partially intended to reduce elk populations to objective, the limitation to short range weapons seems inconsistent because it would compromise FWP's ability to harvest sufficient numbers of antlerless animals.

FWP recognizes that there is some opposition to the change in 2006 that ended elk late seasons, restricting frameworks to the 5-week fall season. Some view this as lost opportunity. However, a large public segment continues to strongly support the current, 5-week framework. There is also concern that FWP is not obtaining adequate antlerless harvests, but our harvest data indicate no differences in antlerless harvests from pre-2006, to post 2006. Furthermore, in 2006 when we had late seasons, over 70 percent of the districts with special seasons were over elk objectives demonstrating the framework with late seasons was not fully effective. Some landowners also would prefer to reinstate late seasons, but others are adamant that seasons remain shorter and are done with hunters after the general season ends in November. There is also a concern with the effects of stress and increased movements of deer and elk during winter if late seasons had widespread application. There is an obvious balance that FWP and the FWP Commission continually examine and address.

FWP respectfully requests a Do Not Pass on House Bill 198.